

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL KREISCHER,

Plaintiff,

v.

E. DAVID CHRISTINE, JR., et al.,

Defendant.

CIVIL ACTION NO. 3:21-cv-00221

(SAPORITO, M.J.)

ORDER

AND NOW, this 4th day of November, 2021, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED THAT:**

1. The defendants' motion to partially dismiss the complaint (Doc. 6) is **GRANTED in part** and **DENIED in part**.

2. The defendants' motion is **GRANTED** and the plaintiff's official capacity claims and request for punitive damages against the defendants in their official capacities are **DISMISSED**.

3. The defendants' motion to dismiss the 42 U.S.C. § 1983 claims in Count I of the complaint is **DENIED**.

4. The defendants shall answer the complaint within fourteen (14) days after the entry of this Order.

s/Joseph F. Saporito, Jr.
JOSEPH F. SAPORITO, JR.
U.S. Magistrate Judge

Dated: November 4, 2021